MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2016 / 2017

DBL5018 – BUSINESS LAW

(For Diploma Students Only)

21 OCTOBER 2016
9.00 a.m. – 11.00 a.m.
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of **2** pages with 4 questions.
2. Answer all questions.
3. You are required to cite sections and case laws where relevant.
4. Write all your answers in the Answer Booklet provided.

QUESTION 1

a) Define the following:

i. Substantial damages

(2 marks)

ii. Nominal damages

(2 marks)

iii. Perpetual injunction

(2 marks)

iv. Interlocutory injunction

(2 marks)

v. Quantum meruit

(2 marks)

b) Amina organised an event for Hari Raya Aidil Fitri with her friends. During the event, she noticed that the drinks provided were insufficient to accommodate the guests. She decided to drive to Mybin Hypermarket to buy few more boxes of soft drinks and mineral water. She put all the boxes in a trolley. When she was about to make payment, she realised that she left her purse in her car. Azura, the cashier, asked her to pay immediately. According to Azura, there was already a contract when she put the boxes in the trolley.

Advise Amina.

(15 marks)

[Total : 25 Marks]

QUESTION 2

a) State the definition of law provided by Sir John Austin in his book, *The Province of Jurisprudence Determined.*

(2 marks)

b) The procedure for making laws varies from one type of law to another. In Malaysia, our legislative procedure is divided into pre-parliamentary and parliamentary stage. State all **(4) FOUR** steps in parliamentary stage.

(4 marks)

c) State any **(2) TWO** unwritten law in Malaysia.

(2 marks)

d) Explain the composition as well as the jurisdiction of these two courts:

i. Court of Appeal

(7 marks)

Continued...

ii. Young Offenders Court

(10 marks)

[Total : 25 Marks]

QUESTION 3

a) The contract of sale of goods is governed by the Sale of Goods Act 1957 (SOGA).

i. Explain the objectives of contract of sale of goods.

(5 marks)

ii. State any **(5) FIVE** exceptions to the 'Nemo Dat' rule.

(5 marks)

b) Last Sunday, Amar went to Nano Supermarket to purchase a knife for his wife. He told the salesman that he wanted to buy a good quality knife which can cut meat easily. The salesman gave him a Kawi's knife which he claimed as the best brand that the supermarket have. He also mentioned that the knife can cut meat easily. Believing the salesman, Amar purchased the knife for his wife. Later on that day, Amar's wife used the knife to cut a meat for dinner. Unfortunately, the knife suddenly broke into two and her hand was severely injured.

As a lawyer, advise Amar on whether he can take action towards Nano Supermarket.

(15 marks)

[Total : 25 Marks]

QUESTION 4

a) Indra wants to purchase insurance from AOA Insurance for herself and her new house. Explain **(2) TWO** types of insurance which is available for her.

(14 marks)

b) With reference to case law, explain the following:

i. Conditions and warranties

(2 marks)

ii. Exemption clause

(3 marks)

c) List down **(6) SIX** examples of common type of insurance.

(6 marks)

[Total : 25 Marks]

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